IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

-

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 10582 of 1997

-

Between:

1. J. Eswara Prasad, S/o. J. Sambasiva Rao, R/o. C II/7, Bapunagar, New Delhi.

2. P.S. Rajyalakshmi W/o. P. Surendra Chowdary,

R/o. H.No.3-4-874/1, Barkatpura, Hyderabad.

..... PETITIONERS

AND

-

1. The Collector, Medak District, at Sangareddy.

2. The Revenue Divisional Officer, Medak, Medak District.

3. S. Rangaiah, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

4. S. Lakshmi W/o. late Surabhi Anjaiah, R/o./Bonthapally (V) Narsapur Mandal, Medak District.

5. S. Kumar, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

6. S. Prakash, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

7. S. Veeraswamy S/o. late Surabi Sathaiah, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

8. S. Yadaiah S/o. late Surabi Sathaiah, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

9. S. Goverdhan S/o. late Surabi Sathaiah, R/o. Bonthapally (V), Narsapur Mandal, Medak District.

10. S. Lakshminarayana, S/o. Surabi Ramaiah @

Venkatesh, R/o. Bonthapally (V), Narsapur Mandal,

Medak District.

11. S. Jagannadham R/o. Bonthapally (V), Narsapur

Mandal, Medak District.

12. S. Ashok, R/o. Bonthapally (V), Narsapur Mandal,

Medak District.

13. R. Ramgopal Rao, S/o. late Rayavarapu R/o.

Bonthapally (V), Narsapur Mandal, Medak District.

14. S. Narayana Raju, S/o. Ramaraju, R/o. Srinivasa Colony, Sanjeevareddy nagar, Hyderabad.

15. Cooperative Industrial Estate Limited, Balanagar, Hyderabad, rep. By its Administrative Officer.

(R15 is impleaded as per Court Order dated 22-9-2004 in WPMP No.22304/2004)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, particularly a Writ in the nature of Mandamus, declaring the order of the 2nd respondent in No.M/453/92 dated 11-4-1997 as illegal arbitrary, as made without jurisdiction and made in gross violation of the principles of natural justice and made in violation of the judgment dated 24-4-1996 in Writ Appeal Nos.847/93, 1028/93 and to set aside the same.

Counsel for the Petitioner: MR.M.S.N.PRASAD

Counsel for Respondents 1 & 2: G.P. for Revenue.

Counsel for Respondents 4, 7 to 9: MR.L.PRABHAKAR REDDY

Counsel for Respondent No.13: Mr. N. Vasudeva Rao

Counsel for Respondent No.15: Mr. O. Manohar Reddy.

The Court at the admission stage made the following :

ORDER:

Learned counsel for the petitioner submits that the petitioner filed WPMP No.21508 of 2004 seeking permission to withdraw the writ petition with a liberty to proceed in the Appeal Case No.J/16/Inams, pending on the file of Joint Collector, Medak District at Sanga Reddy.

Sri Vasudeva Rao, learned counsel for respondent No.13 submits that the respondent No.13 has not entered into any compromise with the petitioners in WPMP No.21058 of 2004 and he has not received any notice in the said appeal till today and also filed a counter affidavit to that effect.

In view of the same, permission is accorded to withdraw the writ petition. But, the Joint Collector shall conduct an enquiry into the compromise alleged to have been made by the petitioners and ascertain the correctness of the compromise entered by

the parties, and can proceed with the Appeal in accordance with law after due notice to the parties.

Accordingly, the Writ Petition is dismissed as withdrawn. No costs.

_____

A. Gopal Reddy, J.

22nd September, 2004.

Js.

ASSISTANT REGISTRAR

To

1. The Collector, Medak District, at Sangareddy.
2. The Joint Collector, Medak District at Sangareddy.
3. The Revenue Divisional Officer, Medak, Medak District
4. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad.
5. 2 CD copies.